

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to:  <i>Ortiz, Lisa as Personal Representative of the Estate of Angel R. Ortiz,</i>  vs.  <i>The Islamic Republic of Iran</i>	22-cv-03100 (GBD)(SN) ECF Case

**DECLARATION IN SUPPORT OF PLAINTIFF'S MOTION FOR  
ENTRY OF PARTIAL FINAL DEFAULT JUDGMENT AGAINST THE ISLAMIC  
REPUBLIC OF IRAN AS TO LIABILITY AND DAMAGES**

JOHN M. EUBANKS, Esquire, hereby states under penalty of perjury that:

1. I am a member of the law firm of Motley Rice LLC, attorneys for the Plaintiff in the above-captioned matter. I submit this Declaration in support of this motion on behalf of the Plaintiff identified in Exhibit A (attached hereto) from the action titled *Ortiz, Lisa as the Personal Representative of the Estate of Angel R. Ortiz v. The Islamic Republic of Iran*, 22-cv-03100-GBD-SN (“Plaintiff”).
2. The form of this motion and the relief requested herein are intended to comply with the following orders of this Court:

- a. The Court’s Order dated January 24, 2017 (ECF No. 3435<sup>1</sup>), requiring that “[a]ll further motions for final judgment against any defaulting defendant shall be accompanied by a sworn declaration attesting that the attorney has (1) complied with the due diligence safeguards [referenced in Section II.D. of the January 23, 2017 letter from the Plaintiffs’ Executive Committee (ECF No. 3433)] and (2) personally verified that no relief has previously been awarded to any plaintiff included in the judgment (or, if relief has been awarded, the nature of that relief).” For compliance with the required sworn declaration, please see below.

---

<sup>1</sup> Unless indicated differently, citations to ECF Nos. are to the docket in *In re Terrorist Attacks on September 11, 2001*, 03-md-1570 (GBD)(SN).

b. The Court's Order dated October 14, 2016 (ECF No. 3362) related to the cases captioned as *Bauer v. Al Qaeda Islamic Army*, 02-CV-7236 (GBD)(SN) and *Ashton v. al Qaeda Islamic Army*, 02-CV-6977 (GBD)(SN).

3. The form of this motion and the relief requested herein are also consistent with the form and relief requested and granted as to other plaintiffs in actions against Iran pending within this Multi-District Litigation.

4. The sources of my information and the basis for my belief in my statements contained herein are my personal involvement in this matter, my firm's representation of the Plaintiff listed in Exhibit A in connection with the September 11th terror attacks, other court records relating to the *In re Terrorist Attack on September 11, 2001* multidistrict litigation to which this individual is a party, my communications with other counsel for other plaintiffs in the *In re Terrorist Attacks on September 11, 2001* multidistrict litigation, and conversations with this Plaintiff. Any matters about which I lack personal knowledge are asserted herein upon information and belief.

5. The Plaintiff identified in Exhibit A represents the estate of Angel R. Ortiz, who sustained physical injuries on September 11, 2001 as a proximate result of the terrorist attacks on September 11, 2001, as indicated on Exhibit A.

6. Exhibit B is a true and correct copy of the Declaration of Lisa Ortiz as Personal Representative for the Estate of Angel R. Ortiz detailing injuries sustained on September 11, 2001.<sup>2</sup>

7. After reviewing the records available to me regarding other judgments entered by this Court against the Iranian defendants, I have not identified any relief that has previously been awarded to the Plaintiff identified in Exhibit A.

---

<sup>2</sup> While the declaration being filed as Exhibit B hereto is being provided on the public docket, the medical records in support of this filing is being provided to the Court Under Seal.

8. Before filing this motion, I have (1) complied with the due diligence safeguards referenced in Section II.D. of the January 23, 2017 letter from the Plaintiffs' Executive Committees (ECF No. 3433) and (2) personally verified that, based upon my review of the records available to me regarding other judgments entered by this Court against the Iranian defendants, no relief has previously been awarded to this Plaintiff included in the judgment.

9. Accordingly, I am filing contemporaneously with this Declaration a Proposed Order of Judgment as to Liability in this case and for Partial Final Judgment on Behalf of the Plaintiff Identified in Exhibit A, conforming to the Court's previous orders.

Dated: June 3, 2024

/s/ John M. Eubanks

John M. Eubanks, Esq.  
Jodi Westbrook Flowers, Esq.  
Robert T. Haefele, Esq.  
John C. Duane, Esq.  
MOTLEY RICE LLC  
28 Bridgeside Blvd.  
Mount Pleasant, SC 29464  
Tel: 843-216-9218  
Fax: 843-216-9450  
Email: [jeubanks@motleyrice.com](mailto:jeubanks@motleyrice.com)